

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Karlos Bobo, :
: Plaintiff(s), :
: Case Number: 1:12cv842
vs. : Chief Judge Susan J. Dlott
D. McCrosky, et al., :
: Defendant(s). :
:

ORDER

The Court has reviewed the Report and Recommendation of United States Magistrate Judge Stephanie K. Bowman filed on April 22, 2013 (Doc. 17), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired May 9, 2013, hereby ADOPTS said Report and Recommendation.

Accordingly, plaintiff's complaint is **DISMISSED** with prejudice on the ground that plaintiff fails to state a claim upon which relief may be granted.

The Court certifies pursuant to 28 U.S.C. § 1915(a) that an appeal of any Order adopting the Report and Recommendation will not be taken in good faith, therefore **DENYING** plaintiff leave to appeal *in forma pauperis*. Plaintiff remains free to apply to proceed *in forma pauperis* in the Court of Appeals. *See Callihan v. Schneider*, 178 F.3d 800, 803 (6th Cir. 1999), overruling in part *Floyd v. United States Postal Serv.*, 105 F.3d 274, 277 (6th Cir. 1997).

IT IS SO ORDERED.

s/Susan J. Dlott
Chief Judge Susan J. Dlott
United States District Court